

ROBERTS SHOULD APPEAL TO HIS SUPREME COURT HIS COMPLAINTS ON KAVANAUGH, say fmr WH spoksmn Bob Weiner & analyst Nalikka

WASHINGTON, DC, UNITED STATES, January 16, 2019 /EINPresswire.com/ -- Supreme Court Chief Justice John Roberts should appeal to his own Supreme Court the Tenth Circuit Court's (Colorado) dismissal of the complaints Roberts submitted against the judicial and public behavior of now-confirmed Justice Brett Kavanaugh, argue former White House spokesman Robert Weiner and co-writer Elaine Nalikka in the Memphis Commercial Appeal.

In an oped just published, Weiner and Nalikka argue, "In response to a circuit court's dismissal of the 83 complaints Supreme Court Chief Justice forwarded against the new Supreme Court Justice Brett Kavanaugh, Roberts should appeal to his own Supreme Court to act on the serious allegations. Roberts submitted the complaints after Kavanaugh was confirmed, yet the lower circuit court used the confirmation date to stop its relevance."

They continue, "It is now unclear if Roberts was just covering himself by the submission. He either knew or should have known that the lower court could or would say its powers over Kavanaugh were moot."

They go on, "Another very real way to get at the issue is for House Judiciary Committee members, to include questions in their regular oversight hearings of the FBI Director, Chris Wray, about the process. They can ask about the conflict with White House General Counsel Don McGann's direction to the FBI to limit the Kavanaugh investigation reopening of Christine Blasé Ford's allegations, when McGann and the White House's mission was to confirm Kavanaugh.

They ask, "Did McGann or other White House staffers stop the FBI from doing its job, including interviewing the additional female witnesses and Kavanaugh's college housemates who could confirm allegations, and stop the FBI from the usual procedure of taking Dr. Ford to the locations involved and corroborating details? Did the White House demand a non-investigation investigation?"

They assert, "If Wray refuses to answer, or confirms the suspected answers, the Committee could then investigate further."

They explain, "The complaints Roberts forwarded October 10 – after the confirmation -- covered Kavanaugh's conduct as a Federal Judge on the D.C. Circuit as well as his partisan, vicious, blaming comments and demonstration of un-justicelike temperament before the Senate Judiciary Committee on Sept. 27, 2018. The complaints allege he violated the Code of Conduct for Federal Judges, a set of ethical principles and guidelines for US judges. The order notes that the complaints are serious, but that the 10th circuit judicial council is obligated to dismiss them, because it no longer has any authority over Kavanaugh."

Weiner and Nalikka continue, "The Supreme Court has the power to determine judicial conduct including for itself. The Code of Conduct for Federal Judges is published and updated by the Judicial Conference of the United States. The conference is headed by the Chief Justice of the

United States, Roberts himself. This would not be the first time that the code has been revised -- it has been done eight times since 1973."

They added, "Roberts as Chief Justice of the Supreme Court can lead a special committee to revise the current code of judicial conduct and add a statement that the ethics apply as well to the Supreme Court, in order to prevent this from happening in the future Or, the Supreme Court could just rule that its members must also be held to the those same standards of conduct if found in advance of confirmation (or even behavior after)."

Weiner and Nalikka conclude, "A Supreme Court that is not required to follow any ethical standards risks losing its integrity and eventually, public trust."

LINK TO ARTICLE:

<https://www.commercialappeal.com/story/opinion/contributors/2019/01/16/roberts-should-appeal-his-kavanaugh-complaints-opinion/2580325002/>

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